

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

FRANCESCA GINO,

Plaintiff,

V.

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE, SRIKANT DATAR,
JOHN DOES 1-10, AND JANE DOES 1-10,

Defendants.

Case No. 1:23-cv-11775-MJJ

DECLARATION OF ROBIN GREENWOOD

I, Robin Greenwood, hereby declare:

1. I am the George Gund Professor of Finance and Banking at Harvard Business School (“HBS”). From July 1, 2021 to June 30, 2025, I also served as HBS Senior Associate Dean for Faculty Development and Research.

2. I respectfully submit this Declaration in support of the President and Fellows of Harvard College’s (“Harvard”) Motion for Leave to File Second Amended Answer and Counterclaim filed with the Court contemporaneously herewith.

3. A proceeding to terminate Plaintiff's position as a tenured professor at Harvard was initiated in October 2023. The proceeding ended on May 20, 2025, when the parties were notified that the Harvard Corporation had formally voted to revoke Plaintiff's tenured position.

4. In September 2024, during the pendency of Plaintiff's tenure revocation proceeding, Harvard discovered a file (the "2023 Cover-Up File") that gave it reason to believe

that Plaintiff knowingly lied when she made assertions about a “July 16 OG file” to the public on her website.

5. The import of the 2023 Cover-Up File was not fully clear until Plaintiff testified in her tenure revocation hearing in November 2024, when she refused to answer any questions about the origin or location of the 2023 Cover-Up File and the “July 16 OG file.” Despite the fact that Plaintiff had previously discussed the “July 16 OG file” on her publicly available website, Plaintiff’s counsel at the hearing interposed a blanket privilege objection to any questions about either of the files.

6. The Discipline of Officers Tentative Recommendations, dated October 4, 1971 (Doc. No. 1-20; Doc. No. 6-12), serve as the applicable procedures for cases involving the removal of a tenured appointment at Harvard and are the same procedures that Plaintiff calls the “Discipline Policy” in her Second Amended Complaint. *See e.g.*, Doc. No. 85 at ¶ 63.

7. During the tenure revocation proceeding, the committee of Harvard professors overseeing the hearing (the “Hearing Committee”) issued a memorandum stating the following: “This is a confidential personnel matter, and the parties and their Third Statute counsel are expected to hold all information and materials related to this Third Statute proceeding in strict confidence. If either party believes there is a compelling need to discuss or share any information or materials with others, that party must make a request in writing to the Hearing Committee explaining the basis of the request and including any position on the matter from the other party. Unless or until the Hearing Committee resolves the request, the parties must continue to maintain the information and/or materials in confidence. The Hearing Committee strongly cautions the parties against any unauthorized disclosure of information and/or materials related to this Third

Statute proceeding, and, in the event of any unauthorized disclosure, may consider whether the disclosing party acted in bad faith and what consequences should follow.”

Dated: July 7, 2025

Respectfully submitted,

/s/ Robin Greenwood

Robin Greenwood

CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2025, this document, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: July 7, 2025

/s/ Jenny K. Cooper

Jenny K. Cooper

*Counsel for Defendants President and
Fellows of Harvard College and Srikant
Datar*